

MAR 10 1976

In Reply Refer
to: 510:GW

Board of Directors
Sewer Authority Mid-Coastside
City of Half Moon Bay
P. O. Box 67
Half Moon Bay, CA 94019

SAN MATEO COUNTY MID-COASTSIDE FACILITIES PLANNING,
75D-1011, REVIEW OF JOINT POWERS AGREEMENT

Margery Knapp of our legal staff and myself have reviewed the "Agreement Creating the Sewer Authority Mid-Coastside" dated February 3, 1976. Listed below are what we consider to be the major problems with the agreement which would prevent S.A.M. from being able to receive a Step 2 and Step 3 Clean Water Grant.

1. All member agencies must approve any project before work can begin on it. Therefore, S.A.M. does not actually have the authority to apply for grants, and to construct and maintain treatment works until the three other agencies formally agree. In effect, the S.A.M. agreement only succeeds in forming a Board without any independent power. While this arrangement is convenient for initiating a project, it is not sufficient for grant program purposes. We must be assured that the decisions S.A.M. makes cannot be undermined by any one of three other local agencies.
2. The problem stated in (1) above also applies to approval of S.A.M.'s budget.
3. At Board meetings no resolution can be adopted without six of eight votes. The requirement for high vote percentages could limit the Board's ability to act and make it difficult for us to complete business with S.A.M.

4. The agreement makes it relatively easy for a member agency to withdraw. The withdrawal of any member agency would likely create operation and maintenance difficulties for S.A.M. and compromise the effectiveness of grant funded facilities. Therefore, the S.A.M. agreement, if it is to be used to apply for a grant, must have a minimum duration equal to the operational life of any grant funded facilities which are constructed.

The deficiencies with the S.A.M. agreement outlined above must be resolved before the Step 2 grant application can be processed. According to the current project schedule, the Step 2 grant application should be submitted on or before May 10, 1976.

We would welcome the chance to meet with you to discuss the points in this letter. Please contact me at (916) 322-6550, if you have any questions concerning this letter.

Gil Wheeler
WQC Engineer

cc: Mr. Bill Helphingstine, EPA, Region IX
Mr. Bob Scholar, CRWQCB, San Francisco Bay Region (2)
Mr. Steve Morse, BASSA

GWHEELER:smorris
3/8/76

SUBJECT: SAM JEPA signed Feb. 3, 1976 and
FHD question re adequacy:

BY: RRS DATE: 2-24-76

INFO FROM: ① Margie Knapp & ② G.J. Grimm

① MK has not yet prepared comments on the JEPA. She has some reservations, specifically with respect to approval of budgets (pp. 13 & 14) and general provisions re withdrawal of member agencies. She recommends that we transmit comments (preferably in meeting with SAM Board) as to recommended revisions to JEPA after the Board has been in operation for a month or two and other immediate concerns (appeal to SWRCB, primarily) have been ~~been~~ resolved. I told her I'd ask GJG to review the JEPA and that I agreed we should submit comments about end of March.

② GJG has copy of JEPA and our (and BASSA's) comments on the draft. He will discuss with MK and prepare consolidated comments after 3/15/76.

RECOMMENDATION:

That SWRCA & R.Bd. staffs forward joint comments on JEPA after 3/18/76. Comments to cover concerns re grants & permits, respectively. I will coordinate with Gil Wheeler.

Concur

RGJ 2/25/76

Seq	To	Initials
X	FED	
X	GJG	
	GLC	
	REH	
	EUS	
*	REJ	
*	REH	
	AMC	
	WH	
	LPK	
	DHA	
	AGL	
	PDH	
	MEH	
	OWP	
	DAM	
	TES	
	TCM	
	RKC	
	LF	
	JBO	
	WHI	
	DEB	
	KKF	
	HCK	
	RND	
	ALP	
	WHH	
	WPG	
	PAH	
	ABA	
	AND	
	GRE	
	TPH	
	SAG	
	DAW	
	VCH	
	WHL	
	GAM	
5	REH	242

7068

RECORD OF
COMMUNICATION

☒ Phone Call ☐ Discussion ☐ Field Trip

☐ Conference ☐ Other (specify)

A-6
1022

TO

Fred Mortensen

FROM:

Jim Tjesvold

DATE

4/11/79

TIME

SUBJECT

SAM # 1022

CONTRACT NO.

SUMMARY OF COMMUNICATION

1. SAM has approved the grant conditions by a vote of 6-2 with Granada 2 votes against. SAM SPA works on majority but ~~SAM~~^{Granada} may drop out.
2. Mortensen proposed that even if Granada drops out of SAM and/or project Montava + HMB continue to fund the local share of project and let Granada buy in later when any Granada initiated court actions are resolved and a new Granada Board is elected.
3. Mortensen will send us
 - 1) Adjusted contract costs and
 - 2) Proof of compliance CA conditions
 So that we can process Step 3 grant.

CONCLUSIONS, ACTION TAKEN OR REQUIRED

INFORMATION COPIES
TO: